

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2010-1527-IWD-E **TCEQ ID:** RN102535077 **CASE NO.:** 40405
RESPONDENT NAME: BP Products North America Inc.

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: BP Products North America, located at 2401 Fifth Avenue South between 21st and 25th, Texas City, Galveston County

TYPE OF OPERATION: Petroleum refinery with an associated wastewater treatment facility

SMALL BUSINESS: ☐ Yes ☒ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on March 7, 2011. No comments were received.

CONTACTS AND MAILING LIST:
TCEQ Attorney/SEP Coordinator: None
TCEQ Enforcement Coordinator: Ms. Lanae Foard, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2554; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495
Respondent: Mr. Keith Casey, TXC Business Unit Leader, BP Products North America Inc., P.O. Box 401, Texas City, Texas 77592
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 17 and 24, 2010 and October 11, 2010</p> <p>Date of NOV/NOE Relating to this Case: June 22, 2010 (NOE)</p> <p>Background Facts: These were routine investigations and a records review.</p> <p>WATER</p> <p>1) Failed to prevent the unauthorized discharge of a nonpermitted wastewater source through Outfall 005 and failed to comply with permitted effluent limits for phenolics [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1].</p> <p>2) Failed to prevent the unauthorized discharge of industrial waste into or adjacent to water in the state [TEX. WATER CODE § 26.121(a)(1) and TPDES Permit No. WQ0000443000, Permit Conditions No. 2.g.].</p> <p>3) Failed to comply with permitted effluent limits for Outfall Nos. 001, 005 and 006 for fecal coliform, oil and grease and phenolics [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1].</p>	<p>Total Assessed: \$242,900</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$242,900</p> <p>Compliance History Classifications: Person/CN - Average Site/RN - Average</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification:</p> <p>Human health or the environment has been exposed to pollutants which exceed levels that are protective.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a. By January 27, 2010, ceased the unauthorized discharge of nonhazardous biosludge into Borrow Ditch;</p> <p>b. By February 18, 2010, ceased the unauthorized discharge of wastewater mixed with toluene;</p> <p>c. By February 20, 2010, removed and disposed of the dead fish, collected and analyzed samples from the area affected by the February 16, 2010, discharge, and confirmed that pollutant levels in the hurricane canal had been reduced to levels protective of the environment;</p> <p>d. By March 18, 2010, completed the removal of the nonhazardous biosludge from Borrow Ditch;</p> <p>e. By March 31, 2010, investigated the cause of noncompliance and returned to compliance with all permitted effluent limits; and</p> <p>f. By October 12, 2010, updated operational procedures to prevent future unauthorized discharges.</p>

Additional ID No(s): WQ0000443000



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	1-Sep-2010	PCW	21-Sep-2010	Screening	10-Sep-2010	EPA Due	
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RESPONDENT/FACILITY INFORMATION

Respondent	BP Products North America Inc.		
Reg. Ent. Ref. No.	RN102535077		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	40405	No. of Violations	5
Docket No.	2010-1527-IWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Lanae Foard
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$80,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **568.0%** Enhancement **Subtotals 2, 3, & 7** **\$454,400**

Notes: Enhancement for one NOV with same/similar violations, 15 months of self-reported effluent violations, 62 NOVs with dissimilar violations, 11 orders without denial, three orders with denial, one criminal conviction, and repeat violator status; and a reduction for 34 Notices of Intent and six disclosures of violation.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$12,500**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts \$705
Approx. Cost of Compliance \$186,753
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$521,900**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$521,900**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$242,900**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$242,900**

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	16	80%
	Other written NOVs	62	124%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	11	275%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	1	50%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	34	-34%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	6	-12%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 543%

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one NOV with same/similar violations, 15 months of self-reported effluent violations, 62 NOVs with dissimilar violations, 11 orders without denial, three orders with denial, one criminal conviction, and repeat violator status; and a reduction for 34 Notices of Intent and six disclosures of violation.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 568%

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 1

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to prevent the unauthorized discharge of a nonpermitted wastewater source through Outfall 005, as documented during investigations conducted on March 17, 2010, and March 24, 2010. Specifically, on February 16, 2010, during dewatering of a storage tank, approximately 5,466 pounds of toluene mixed with wastewater was released to the wastewater treatment plant; and from February 16, 2010, through February 18, 2010, approximately 24.31 million gallons of partially treated wastewater mixed with toluene was discharged through Outfall 005, killing approximately 33 fish. This discharge also resulted in exceedances of the total recoverable phenolics daily average loading and daily maximum loading limits of 24 pounds per day ("lbs/day") and 56 lbs/day, respectively, for the monitoring period ending February 28, 2010 (37.869 lbs/day and 409.024 lbs/day, respectively).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	X		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed protective levels as a result of this violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 5

5 Number of violation days

mark only one with an x	daily	X
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$50,000

Five daily events are recommended from the date of the discharge (February 16, 2010) to the date the discharge ceased and pollutant levels in the hurricane canal had been reduced to levels protective of the environment (February 20, 2010).

Good Faith Efforts to Comply

10.0% Reduction

\$5,000

	Before NOV	NOV to EDPRP/Settlement Offer
	Extraordinary	
Ordinary		X
N/A		(mark with x)

Notes

The Respondent achieved compliance on October 12, 2010.

Violation Subtotal \$45,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$86

Violation Final Penalty Total \$329,000

This violation Final Assessed Penalty (adjusted for limits) \$50,000

Economic Benefit Worksheet

Respondent BP Products North America Inc.
Case ID No. 40405
Reg. Ent. Reference No. RN102535077
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,000	16-Feb-2010	12-Oct-2010	0.65	\$33	n/a	\$33
Remediation/Disposal	\$97,753	16-Feb-2010	20-Feb-2010	0.01	\$54	n/a	\$54
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update operational procedures to prevent future occurrences and actual cost to collect and analyze samples from the affected area and to remove and dispose of the dead fish. Date required is the date of the discharge. Final dates are the date by which procedures were updated and implemented (October 12, 2010) and the date the pollutant levels in the hurricane canal had been reduced to levels protective of the environment (February 20, 2010).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$98,753

TOTAL

\$86

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 2

Rule Cite(s) Tex. Water Code § 26.121(a)(1) and TPDES Permit No. WQ0000443000, Permit Conditions No. 2.g

Violation Description

Failed to prevent the unauthorized discharge of industrial waste into or adjacent to water in the state. Specifically, on January 27, 2010, a leak in the biosludge pipeline discharged approximately 750 gallons of nonhazardous biosludge into Borrow Ditch, as documented during investigations conducted on March 17, 2010, and March 24, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 2

50 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

Two monthly events are recommended from the date of the discharge (January 27, 2010) to the date of compliance (March 18, 2010).

Good Faith Efforts to Comply

25.0% Reduction

\$2,500

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes The Respondent achieved compliance on March 18, 2010.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$596

Violation Final Penalty Total \$64,300

This violation Final Assessed Penalty (adjusted for limits) \$64,300

Economic Benefit Worksheet

Respondent: BP Products North America Inc.

Case ID No. 40405

Reg. Ent. Reference No. RN102535077

Media: Water Quality

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount

Item Description: No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$87,000	27-Jan-2010	18-Mar-2010	0.14	\$596	n/a	\$596
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to repair the biosludge pipeline and clean the affected area. Date required is the date of the discharge. Final date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$87,000

TOTAL

\$596

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 3

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to comply with the permitted effluent limit for fecal coliform at Outfall 005, as documented during a record review conducted on October 11, 2010. Specifically, the fecal coliform daily maximum exceeded the permit limit of 400 colony forming units per 100 milliliters ("cfu/100mL") for the monitoring period ending November 30, 2009 (1,800 cfu/100mL).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

30 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	X
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$5,000

One monthly event is recommended for the month of November 2009.

Good Faith Efforts to Comply

25.0% Reduction

\$1,250

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes The Respondent achieved compliance with effluent limits by March 31, 2010.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$32,150

This violation Final Assessed Penalty (adjusted for limits) \$32,150

Economic Benefit Worksheet

Respondent BP Products North America Inc.

Case ID No. 40405

Reg. Ent. Reference No. RN102535077

Media Water Quality

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$1,000	30-Nov-2009	31-Mar-2010	0.33	\$1	\$22	\$23
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to investigate the cause of noncompliance and return to compliance with all permitted effluent limits. Date required is the initial date of noncompliance. Final date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$23

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 4

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to comply with the permitted effluent limit for fecal coliform at Outfall 001, as documented during a record review conducted on October 11, 2010. Specifically, the fecal coliform daily maximum exceeded the permit limit of 400 cfu/100mL for the monitoring period ending May 31, 2009 (5,700 cfu/100mL).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Moderate	Minor
Release			
Actual	X		
Potential			

Percent 100%

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification			

Percent 0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed protective levels as a result of this violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

31 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

One monthly event is recommended for the month of May 2009.

Good Faith Efforts to Comply

25.0% Reduction

\$2,500

Before NOV NOV to EDP/PP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent achieved compliance with effluent limits by March 31, 2010.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$64,300

This violation Final Assessed Penalty (adjusted for limits) \$64,300

Economic Benefit Worksheet

Respondent: BP Products North America Inc.

Case ID No.: 40405

Reg. Ent. Reference No.: RN102535077

Media: Water Quality

Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic benefit for this violation is included with Violation No. 3.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 10-Sep-2010

Docket No. 2010-1527-IWD-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 40405

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 5

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to comply with the permitted effluent limits for oil and grease and total recoverable phenolics at Outfall 006, as documented during a record review conducted on October 11, 2010. Specifically, the oil and grease daily maximum exceeded the permit limit of 2,520 pounds per day ("lbs/day") for the monitoring period ending June 30, 2009, (5,370 lbs/day) and the total recoverable phenolics daily average and daily maximum exceeded the permit limits of 24 lbs/day and 56 lbs/day, respectively; for the monitoring period ending June 30, 2009 (28.3 lbs/day and 80.6 lbs/day, respectively).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

30 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$5,000

One monthly event is recommended for the quarter containing the month of June 2009.

x Good Faith Efforts to Comply

25.0% Reduction

\$1,250

Before NOV NOV to EDRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent achieved compliance with effluent limits by March 31, 2010.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$32,150

This violation Final Assessed Penalty (adjusted for limits) \$32,150

Economic Benefit Worksheet

Respondent BP Products North America Inc.
Case ID No. 40405
Reg. Ent. Reference No. RN102535077
Media Water Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic benefit for this violation is included with Violation No. 3.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Compliance History Report

Customer/Respondent/Owner-Operator:	CN60086800	BP Products North America Inc.	Classification: AVERAGE	Rating: 5.68
Regulated Entity:	RN102635077	BP PRODUCTS NORTH AMERICA	Classification: AVERAGE	Site Rating: 10.05
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD008080533	
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30139	
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50255	
	AIR NEW SOURCE PERMITS	REGISTRATION	92956	
	AIR NEW SOURCE PERMITS	REGISTRATION	92671	
	AIR NEW SOURCE PERMITS	REGISTRATION	92587	
	AIR NEW SOURCE PERMITS	REGISTRATION	92273	
	AIR NEW SOURCE PERMITS	REGISTRATION	92585	
	AIR NEW SOURCE PERMITS	REGISTRATION	92586	
	AIR NEW SOURCE PERMITS	REGISTRATION	92692	
	AIR NEW SOURCE PERMITS	PERMIT	1940	
	AIR NEW SOURCE PERMITS	PERMIT	2231	
	AIR NEW SOURCE PERMITS	PERMIT	2315	
	AIR NEW SOURCE PERMITS	PERMIT	2529	
	AIR NEW SOURCE PERMITS	PERMIT	2608	
	AIR NEW SOURCE PERMITS	PERMIT	2612	
	AIR NEW SOURCE PERMITS	PERMIT	2938	
	AIR NEW SOURCE PERMITS	PERMIT	3758	
	AIR NEW SOURCE PERMITS	PERMIT	4714	
	AIR NEW SOURCE PERMITS	PERMIT	6488	
	AIR NEW SOURCE PERMITS	PERMIT	6592	
	AIR NEW SOURCE PERMITS	PERMIT	6600	
	AIR NEW SOURCE PERMITS	PERMIT	7085	
	AIR NEW SOURCE PERMITS	PERMIT	9606	
	AIR NEW SOURCE PERMITS	REGISTRATION	10060	
	AIR NEW SOURCE PERMITS	REGISTRATION	10129	
	AIR NEW SOURCE PERMITS	REGISTRATION	10156	
	AIR NEW SOURCE PERMITS	REGISTRATION	10212	
	AIR NEW SOURCE PERMITS	REGISTRATION	10597	
	AIR NEW SOURCE PERMITS	REGISTRATION	11173	
	AIR NEW SOURCE PERMITS	REGISTRATION	11175	
	AIR NEW SOURCE PERMITS	REGISTRATION	11176	
	AIR NEW SOURCE PERMITS	REGISTRATION	11787	
	AIR NEW SOURCE PERMITS	REGISTRATION	13666	
	AIR NEW SOURCE PERMITS	REGISTRATION	13667	
	AIR NEW SOURCE PERMITS	REGISTRATION	15163	
	AIR NEW SOURCE PERMITS	REGISTRATION	15271	
	AIR NEW SOURCE PERMITS	REGISTRATION	15378	
	AIR NEW SOURCE PERMITS	REGISTRATION	15436	
	AIR NEW SOURCE PERMITS	REGISTRATION	15458	
	AIR NEW SOURCE PERMITS	REGISTRATION	15497	
	AIR NEW SOURCE PERMITS	REGISTRATION	15766	
	AIR NEW SOURCE PERMITS	PERMIT	18506	
	AIR NEW SOURCE PERMITS	PERMIT	19599	
	AIR NEW SOURCE PERMITS	PERMIT	20850	
	AIR NEW SOURCE PERMITS	PERMIT	22107	
	AIR NEW SOURCE PERMITS	REGISTRATION	24608	
	AIR NEW SOURCE PERMITS	REGISTRATION	24936	
	AIR NEW SOURCE PERMITS	PERMIT	46052	
	AIR NEW SOURCE PERMITS	REGISTRATION	46725	
	AIR NEW SOURCE PERMITS	REGISTRATION	46724	
	AIR NEW SOURCE PERMITS	PERMIT	47256	
	AIR NEW SOURCE PERMITS	REGISTRATION	47563	
	AIR NEW SOURCE PERMITS	REGISTRATION	47686	
	AIR NEW SOURCE PERMITS	REGISTRATION	47956	
	AIR NEW SOURCE PERMITS	REGISTRATION	47954	
	AIR NEW SOURCE PERMITS	REGISTRATION	48412	
	AIR NEW SOURCE PERMITS	REGISTRATION	49771	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	GB0004L	
	AIR NEW SOURCE PERMITS	REGISTRATION	84210	
	AIR NEW SOURCE PERMITS	REGISTRATION	51875	
	AIR NEW SOURCE PERMITS	REGISTRATION	75507	
	AIR NEW SOURCE PERMITS	REGISTRATION	56136	
	AIR NEW SOURCE PERMITS	AFS NUM	4816700001	
	AIR NEW SOURCE PERMITS	REGISTRATION	56657	
	AIR NEW SOURCE PERMITS	PERMIT	49128	
	AIR NEW SOURCE PERMITS	REGISTRATION	50798	
	AIR NEW SOURCE PERMITS	REGISTRATION	72163	
	AIR NEW SOURCE PERMITS	REGISTRATION	54051	
	AIR NEW SOURCE PERMITS	REGISTRATION	52467	
	AIR NEW SOURCE PERMITS	REGISTRATION	71839	

AIR NEW SOURCE PERMITS	REGISTRATION	53892
AIR NEW SOURCE PERMITS	REGISTRATION	54721
AIR NEW SOURCE PERMITS	REGISTRATION	55478
AIR NEW SOURCE PERMITS	REGISTRATION	87463
AIR NEW SOURCE PERMITS	EPA ID	PSDTX402
AIR NEW SOURCE PERMITS	REGISTRATION	76550
AIR NEW SOURCE PERMITS	REGISTRATION	78059
AIR NEW SOURCE PERMITS	REGISTRATION	78060
AIR NEW SOURCE PERMITS	REGISTRATION	78120
AIR NEW SOURCE PERMITS	REGISTRATION	77811
AIR NEW SOURCE PERMITS	REGISTRATION	78051
AIR NEW SOURCE PERMITS	REGISTRATION	89452
AIR NEW SOURCE PERMITS	REGISTRATION	79522
AIR NEW SOURCE PERMITS	REGISTRATION	81516
AIR NEW SOURCE PERMITS	REGISTRATION	81757
AIR NEW SOURCE PERMITS	REGISTRATION	82308
AIR NEW SOURCE PERMITS	REGISTRATION	87193
AIR NEW SOURCE PERMITS	REGISTRATION	87883
AIR NEW SOURCE PERMITS	REGISTRATION	84396
AIR NEW SOURCE PERMITS	REGISTRATION	84587
AIR NEW SOURCE PERMITS	REGISTRATION	88697
AIR NEW SOURCE PERMITS	REGISTRATION	85681
AIR NEW SOURCE PERMITS	REGISTRATION	88241
AIR NEW SOURCE PERMITS	REGISTRATION	91246
AIR NEW SOURCE PERMITS	REGISTRATION	90662
AIR NEW SOURCE PERMITS	REGISTRATION	89962
AIR NEW SOURCE PERMITS	REGISTRATION	87825
AIR NEW SOURCE PERMITS	REGISTRATION	86558
AIR NEW SOURCE PERMITS	REGISTRATION	84668
AIR NEW SOURCE PERMITS	REGISTRATION	84658
AIR NEW SOURCE PERMITS	REGISTRATION	85670
AIR NEW SOURCE PERMITS	REGISTRATION	83759
AIR NEW SOURCE PERMITS	REGISTRATION	84454
AIR NEW SOURCE PERMITS	REGISTRATION	85677
AIR NEW SOURCE PERMITS	REGISTRATION	83422
AIR NEW SOURCE PERMITS	REGISTRATION	87823
AIR NEW SOURCE PERMITS	REGISTRATION	83424
AIR NEW SOURCE PERMITS	REGISTRATION	83941
AIR NEW SOURCE PERMITS	REGISTRATION	90158
AIR NEW SOURCE PERMITS	REGISTRATION	91253
AIR NEW SOURCE PERMITS	REGISTRATION	87296
AIR NEW SOURCE PERMITS	REGISTRATION	92953
UNDERGROUND INJECTION CONTROL	PERMIT	WDW080
UNDERGROUND INJECTION CONTROL	PERMIT	WDW127
UNDERGROUND INJECTION CONTROL	PERMIT	WDW128
UNDERGROUND INJECTION CONTROL	PERMIT	WDW214
UNDERGROUND INJECTION CONTROL	PERMIT	WDW215
WASTE WATER GENERAL PERMIT	PERMIT	TXG670029
AIR OPERATING PERMITS	PERMIT	2657
AIR OPERATING PERMITS	ACCOUNT NUMBER	GB0004L
AIR OPERATING PERMITS	PERMIT	1541
AIR OPERATING PERMITS	PERMIT	2328
WASTEWATER	PERMIT	WQ0000443000
WASTEWATER	EPA ID	TX0003522
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30139
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	GB0004L

Location: 2401 FIFTH AVENUE SOUTH BETWEEN 21ST AND 25TH
STREETS, TEXAS CITY, GALVESTON COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 08, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 08, 2005 to September 08, 2010

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Lanae Foard Phone: (512) 239-2554

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
- If Yes, who is the current owner/operator?

N/A	
OWNOPR	BP Products North America Inc.
OWNOPR	BP Amoco Texas City Business Unit
OWNOPR	BP Pipelines (North America) Inc.
- If Yes, who was/were the prior owner(s)/operator(s)?

OPR	BP Amoco Chemical Company
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5. When did the change(s) in owner or operator occur?

06/19/2007

OPR

BP Amoco Chemical Company

6. Rating Date: 9/1/2010 Repeat Violator: YES

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 11/06/2005 ADMINORDER 2004-2128-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #8810, SC #1 PERMIT
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 19599, Special Condition No. 1, PERMIT
Description: Allowed unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 101, SubChapter F 101.211(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a proper emission event report for an emission event that occurred from October 29, 2003 to November 14, 2003 in the fugitive components (EPN F-380-SRU-FUG) in the Sulfur Recovery Unit.

Effective Date: 12/30/2005 ADMINORDER 2005-0818-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #18706, Special Condition No. 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report an emission event.

Effective Date: 03/06/2006 ADMINORDER 2005-0706-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Allowed unauthorized emissions.

Effective Date: 06/15/2006 ADMINORDER 2005-0224-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #8810, SC1 PERMIT

Description: Failed to comply with permitted emissions limits for Flare 381, SRU Incinerator Stack 384, and Flare 383.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
No. 18707, Special Condition #1 PERMIT

Description: Failed to comply with permitted emission limits for the Fluid Catalytic Cracking Unit (EPN 334).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
TCEQ Air Permit No.18707, SC #1 PERMIT

Description: Failed to comply with permitted emission limits for the Fluid Catalytic Cracking Unit (EPN 321).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20982 Special Condition 1 PERMIT
General Condition G PERMIT

Description: Failed to comply with permitted emission limits for the Coker Resid De-Asphalting Unit and Cooling Tower (EPN 412).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G and SC 1 PERMIT

Description: Failed to comply with permitted emission limits for Flare # 3 (EPN F-200) in the Ultracracker Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 8810 Special Condition 1 PERMIT
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 8810 Special Condition 1 PERMIT
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 8810 Special Condition 1 PERMIT
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 8810 Special Condition 1 PERMIT
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Air Permit No. 8810, SC #1, PERMIT
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2612 Special Condition #1 PERMIT

General Condition F PERMIT

Description: Failed to comply with permitted emission limits for the Aromatics Recovery Unit 2 (EPN 611).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
No. 8810 Special Condition #1, PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
No. 8810 Special Condition #1, PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the 400 Reactor Train (EPN 501).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: BP Products failed to notify the TCEQ within 24 hours of an emissions event.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
TCEQ Air Permit No. 8810, SC No. 1 PERMIT

Description: Failed to comply with permitted emission limits for the RHU 300 Reactor Train (EPN 501).

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Conditions F and G PERMIT
Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emission limits for the Ultracracker Flare (EPN 351) and the Ultraformer Unit (EPN F-160).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Permit No. 8810, SC #1 PERMIT

Description: Failed to comply with permitted emissions limits for the CFH/RHU Flare.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to timely submit the final notification for a shutdown event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 8810 and PSD-TX-402M2, S.C. No. 1 PERMIT

Description: Failed to comply with permitted emissions limits for the CFH/RHU Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits for the CPR II Flare.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete emissions event report for an emissions event that occurred on September 25, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report an emissions event that occurred on February 8, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 8810, Special Provision No. 1 PERMIT

Description: Failed to comply with permitted emissions limits for the CRP II Flare.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Compliance Plan and Schedule OP

Description: Failed to perform an applicability determination and compliance review.

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.142(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Compliance Plan and Schedule OP

Description: Failure to install monitoring equipment or obtain an alternate means of compliance.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a complete semiannual deviation report.

Effective Date: 07/22/2006

ADMINORDER 2005-1027-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the emission of unauthorized air contaminants during Incident No. 20972.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT

Description: Failed to maintain emission rates of sulfur dioxide (SO₂) and nitrogen oxides (NO_x) below the Maximum Allowable Emission Rates (MAER; 0.2 pounds per hour (lbs/hr) for SO₂, 0.8 lbs/hr for NO_x) during Incident No. 48135.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to determine if an emissions event was reportable, and failed to submit the initial emissions event report, within 24 hours after discovery (Incident No. 48847).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT

Description: Failed to maintain emission rates of SO₂ below the Maximum Allowable Emission Rates (MAER; 0.2 lbs/hr) during Incident No. 48847.

Effective Date: 08/28/2006

ADMINORDER 2006-0198-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Allowed unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 47256, Special Condition No. 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit #47256, SC #1 PA
Special Condition 15 PERMIT

Description: Failed to comply with permitted emissions limits

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit #47256, Special Condition #1 PA
Special Condition 15 PERMIT

Description: Failed to comply with permitted emissions limits.

Effective Date: 09/21/2006 ADMINORDER 2006-0262-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 8810 & PSD-TX-402M2, Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter B 116.115(b)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 15599, Special Condition No. 1 PERMIT
Description: Failed to comply with permitted emissions representations.

Effective Date: 09/21/2006 ADMINORDER 2006-0310-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: BP Products allowed unauthorized emissions

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Flexible Permit #47256, SC#1 PERMIT
Description: BP Products failed to comply with permitted emissions limits

Effective Date: 10/19/2006 ADMINORDER 2006-0400-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 6488, SC2 PERMIT

Description: failed to comply with permitted emissions limits. Specifically, the emissions limit for VOCs is 1.5 lbs/hr, and beginning September 8, 2003, the cooling tower (EPN 422) emitted 69,063 pounds of VOCs over a 702 hour period.

Effective Date: 11/18/2006 ADMINORDER 2006-0557-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to control unauthorized emissions during an excessive emissions event which began on September 9, 2004 in the Power Station No. 2 Unit.

Effective Date: 12/02/2006 ADMINORDER 2006-0099-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.0518(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Allowed unauthorized emissions.

Effective Date: 05/11/2007

ADMINORDER 2005-1839-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Spec. Cond No. 1 PERMIT
Spec. Cond. No. 1 PERMIT

Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere, and failed to maintain opacity at 30% averaged over a six-minute period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to equip an open-ended line with a cap, blind flange, plug, or a second valve.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.

Effective Date: 07/09/2009

ADMINORDER 2007-1919-IHW-E

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)
30 TAC Chapter 335, SubChapter O 335.431(c)(1)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.9(c)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT D 268.40(e)

Rqmt Prov: II.A.7. PERMIT

Description: Failure to prevent the land disposal of characteristically hazardous waste not meeting applicable treatment standards at two unauthorized facilities.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)(1)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(2)

Rqmt Prov: II.A.7. PERMIT

Description: Failure to provide land disposal restriction notices to the land treatment facility and landfill along with the initial shipments of hazardous amine reclaimer bottoms to those facilities.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Rqmt Prov: II.C.1.h. PERMIT
Description: Failure to maintain an up-to-date Notice of Registration.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)
Rqmt Prov: II.C.1.h. PERMIT
Description: Failure to report the amount of hazardous amine reclaimer bottoms generated in Calendar Years 2004 and 2006.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.10(c)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)(1)

Rqmt Prov: II.C.1.h. PERMIT

Description: Failure to correctly complete uniform hazardous waste manifests for nine shipments of hazardous waste to Gulf West Landfill Texas.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62
30 TAC Chapter 335, SubChapter R 335.604

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failure to make a complete and correct hazardous waste determination for amine reclaimer bottoms.

Effective Date: 07/20/2009

ADMINORDER 2008-1398-IHW-E

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)
Description: The facility failed to prevent an unauthorized shipment of hazardous waste stream 9022603H, EPA Code F038, stored in a vacuum box VB 1029, to the nonhazardous waste facility, Coastal Plains Landfill, Alvin, Texas.

B. Any criminal convictions of the state of Texas and the federal government.

Conviction Date: 3/12/2009 12:00:00AM

Type of Action: COURTORDER

Classification: Major

Rqmt Prov:

Citation: 42 USC Chapter 85 Subchapter I 85.7413(c)(1)

Description: The charges were based on the catastrophic explosion that occurred on March 23, 2005 at the Texas City refinery, which resulted in the death of fifteen contract workers and injuries of over 170 others. BP admitted from 1999 up until the morning of March 23, 2005, several procedures required by the Clean Air Act for ensuring the mechanical integrity and a safe startup had either not been established or were being ignored.

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	09/14/2005	(403367)
2	09/14/2005	(406870)
3	09/15/2005	(260589)
4	09/15/2005	(377149)
5	09/15/2005	(418585)
6	09/16/2005	(285680)
7	09/16/2005	(380788)
8	09/16/2005	(406970)
9	09/19/2005	(404902)
10	09/19/2005	(440653)
11	09/22/2005	(440654)
12	09/22/2005	(440655)
13	09/23/2005	(432666)
14	09/27/2005	(394338)
15	10/07/2005	(393826)
16	10/11/2005	(432303)
17	10/12/2005	(252191)
18	10/12/2005	(433061)
19	10/12/2005	(433072)
20	11/15/2005	(432968)
21	11/17/2005	(407011)
22	11/21/2005	(468150)
23	11/21/2005	(468152)
24	12/05/2005	(432348)
25	12/05/2005	(434122)
26	12/08/2005	(438708)
27	12/15/2005	(436991)
28	12/19/2005	(468151)
29	01/20/2006	(433636)
30	01/24/2006	(451779)
31	01/24/2006	(451782)
32	01/24/2006	(451783)
33	01/30/2006	(453068)
34	02/15/2006	(436815)
35	02/16/2006	(436510)
36	02/16/2006	(436874)
37	02/16/2006	(450859)
38	02/17/2006	(450896)
39	02/21/2006	(438502)
40	02/22/2006	(406484)
41	02/22/2006	(431649)
42	02/22/2006	(436096)
43	02/22/2006	(468147)
44	02/23/2006	(438893)
45	02/27/2006	(431613)
46	02/27/2006	(431717)
47	02/28/2006	(280636)
48	02/28/2006	(405531)
49	03/13/2006	(405832)
50	03/16/2006	(450739)
51	03/16/2006	(498014)
52	03/21/2006	(259596)
53	04/17/2006	(468148)
54	04/17/2006	(468149)
55	05/05/2006	(345041)
56	05/12/2006	(463181)
57	05/12/2006	(463184)
58	05/12/2006	(463185)
59	05/15/2006	(498015)
60	05/16/2006	(465072)

61	05/16/2006	(465202)
62	05/16/2006	(465220)
63	05/17/2006	(400694)
64	05/18/2006	(264757)
65	05/18/2006	(264800)
66	05/31/2006	(464272)
67	05/31/2006	(480291)
68	05/15/2006	(481429)
69	06/16/2006	(480900)
70	06/19/2006	(498016)
71	06/28/2006	(464246)
72	06/30/2006	(481539)
73	07/07/2006	(437544)
74	07/07/2006	(464259)
75	07/07/2006	(467173)
76	07/18/2006	(467291)
77	07/19/2006	(480929)
78	07/20/2006	(486378)
79	07/20/2006	(486387)
80	07/20/2006	(486394)
81	07/27/2006	(483807)
82	08/15/2006	(281937)
83	08/18/2006	(482275)
84	08/21/2006	(520031)
85	08/25/2006	(463821)
86	08/25/2006	(488981)
87	08/27/2006	(510161)
88	08/31/2006	(497518)
89	08/31/2006	(497522)
90	08/31/2006	(497527)
91	09/01/2006	(461204)
92	09/05/2006	(509936)
93	09/12/2006	(680415)
94	09/15/2006	(520032)
95	09/21/2006	(530965)
96	09/25/2006	(512306)
97	09/28/2006	(512567)
98	10/24/2006	(544278)
99	11/15/2006	(517680)
100	11/21/2006	(518972)
101	11/21/2006	(518980)
102	11/21/2006	(518985)
103	11/21/2006	(544279)
104	12/08/2006	(517101)
105	12/19/2006	(532956)
106	12/19/2006	(544280)
107	01/05/2007	(531855)
108	01/16/2007	(534109)
109	01/22/2007	(544281)
110	01/26/2007	(534737)
111	01/31/2007	(457489)
112	01/31/2007	(513272)
113	02/09/2007	(509890)
114	02/14/2007	(434925)
115	02/22/2007	(431850)
116	02/22/2007	(512189)
117	02/22/2007	(512275)
118	02/22/2007	(512341)
119	02/22/2007	(512368)
120	02/22/2007	(512649)
121	03/12/2007	(540407)
122	03/12/2007	(540416)
123	03/12/2007	(540503)
124	03/15/2007	(535022)
125	03/19/2007	(574931)
126	03/28/2007	(540156)
127	03/29/2007	(542920)
128	04/04/2007	(555509)
129	04/10/2007	(542873)
130	04/12/2007	(543042)
131	04/12/2007	(574935)
132	04/16/2007	(542550)
133	04/16/2007	(574932)

134	04/20/2007	(556064)
135	04/25/2007	(543054)
136	04/25/2007	(543058)
137	04/30/2007	(555878)
138	05/03/2007	(542590)
139	05/07/2007	(574930)
140	05/14/2007	(559594)
141	05/18/2007	(574933)
142	05/30/2007	(556477)
143	05/31/2007	(560748)
144	05/31/2007	(560801)
145	05/31/2007	(561276)
146	06/20/2007	(574934)
147	06/22/2007	(467312)
148	06/22/2007	(539374)
149	06/26/2007	(558937)
150	06/27/2007	(561521)
151	07/12/2007	(512520)
152	07/27/2007	(565839)
153	08/06/2007	(568015)
154	08/14/2007	(571495)
155	08/21/2007	(601492)
156	08/22/2007	(561466)
157	08/27/2007	(532445)
158	08/27/2007	(568067)
159	08/29/2007	(543546)
160	09/07/2007	(573536)
161	09/14/2007	(573872)
162	09/20/2007	(601493)
163	10/03/2007	(564678)
164	10/03/2007	(564748)
165	10/05/2007	(568241)
166	10/05/2007	(574185)
167	10/11/2007	(595853)
168	10/16/2007	(596020)
169	10/19/2007	(565489)
170	10/19/2007	(566868)
171	10/23/2007	(595678)
172	10/23/2007	(619401)
173	10/24/2007	(596361)
174	10/24/2007	(597474)
175	10/25/2007	(594097)
176	10/25/2007	(768008)
177	11/01/2007	(599071)
178	11/01/2007	(599075)
179	11/01/2007	(599076)
180	11/06/2007	(599895)
181	11/06/2007	(599885)
182	11/14/2007	(600505)
183	11/15/2007	(593887)
184	11/16/2007	(584283)
185	11/16/2007	(598008)
186	11/19/2007	(600420)
187	11/19/2007	(608773)
188	11/19/2007	(619402)
189	11/30/2007	(608834)
190	12/07/2007	(609280)
191	12/17/2007	(619403)
192	12/20/2007	(610597)
193	12/21/2007	(612894)
194	01/03/2008	(612953)
195	01/03/2008	(613255)
196	01/04/2008	(609291)
197	01/04/2008	(610827)
198	01/17/2008	(619404)
199	01/18/2008	(601145)
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202	01/23/2008	(613789)
203	01/23/2008	(613792)
204	01/24/2008	(612090)
205	01/25/2008	(609655)

206	01/25/2008	{615812}
207	01/28/2008	{612767}
208	02/11/2008	{612306}
209	02/14/2008	{616998}
210	02/15/2008	{617082}
211	02/20/2008	{671906}
212	03/04/2008	{636480}
213	03/13/2008	{616996}
214	03/15/2008	{671907}
215	04/04/2008	{636235}
216	04/04/2008	{636332}
217	04/15/2008	{671908}
218	04/15/2008	{671909}
219	04/24/2008	{610067}
220	04/29/2008	{640424}
221	04/29/2008	{640429}
222	04/29/2008	{640435}
223	04/29/2008	{725873}
224	05/12/2008	{689828}
225	05/16/2008	{641377}
226	05/20/2008	{671335}
227	05/21/2008	{654255}
228	06/04/2008	{612170}
229	06/04/2008	{653423}
230	06/18/2008	{646534}
231	06/19/2008	{670897}
232	06/19/2008	{689829}
233	06/20/2008	{682345}
234	06/27/2008	{671461}
235	07/02/2008	{680463}
236	07/02/2008	{683124}
237	07/10/2008	{684674}
238	07/11/2008	{685538}
239	07/16/2008	{686166}
240	07/17/2008	{646655}
241	07/17/2008	{683313}
242	07/17/2008	{684942}
243	07/18/2008	{686361}
244	07/23/2008	{685661}
245	07/25/2008	{683807}
246	07/25/2008	{686908}
247	08/11/2008	{687354}
248	08/13/2008	{710588}
249	08/19/2008	{689028}
250	08/26/2008	{688278}
251	08/26/2008	{700873}
252	08/27/2008	{681483}
253	08/29/2008	{636755}
254	08/30/2008	{610610}
255	09/19/2008	{710589}
256	10/03/2008	{700091}
257	10/14/2008	{703860}
258	10/14/2008	{703862}
259	10/14/2008	{703863}
260	10/15/2008	{710590}
261	10/15/2008	{710591}
262	10/31/2008	{684689}
263	11/03/2008	{688276}
264	11/03/2008	{700256}
265	11/03/2008	{701072}
266	11/07/2008	{700768}
267	11/14/2008	{727383}
268	11/17/2008	{704101}
269	11/19/2008	{640220}
270	11/21/2008	{687722}
271	11/21/2008	{706756}
272	12/05/2008	{684893}
273	12/05/2008	{708111}
274	12/12/2008	{707736}
275	12/16/2008	{689079}
276	12/16/2008	{689305}
277	12/16/2008	{689327}
278	12/18/2008	{708373}

279	12/18/2008	(750124)
280	12/19/2008	(709251)
281	12/19/2008	(709511)
282	12/22/2008	(710020)
283	01/06/2009	(721736)
284	01/16/2009	(702015)
285	01/21/2009	(721233)
286	01/23/2009	(723203)
287	01/28/2009	(724615)
288	01/30/2009	(723946)
289	01/30/2009	(724408)
290	02/03/2009	(702626)
291	02/11/2009	(725022)
292	02/16/2009	(777401)
293	02/18/2009	(709757)
294	02/19/2009	(725121)
295	02/19/2009	(750120)
296	02/20/2009	(727119)
297	02/24/2009	(726203)
298	02/24/2009	(726206)
299	02/24/2009	(726207)
300	02/24/2009	(777393)
301	02/26/2009	(684626)
302	02/27/2009	(723791)
303	02/27/2009	(724140)
304	02/27/2009	(724141)
305	03/05/2009	(726767)
306	03/12/2009	(725243)
307	03/16/2009	(700942)
308	03/18/2009	(737936)
309	03/18/2009	(750121)
310	03/20/2009	(726945)
311	03/24/2009	(738758)
312	04/02/2009	(738251)
313	04/08/2009	(741515)
314	04/14/2009	(737526)
315	04/14/2009	(741104)
316	04/14/2009	(741243)
317	04/15/2009	(736930)
318	04/15/2009	(736357)
319	04/17/2009	(738140)
320	04/17/2009	(741327)
321	04/20/2009	(750122)
322	04/20/2009	(750123)
323	04/21/2009	(741207)
324	04/21/2009	(741316)
325	05/05/2009	(738971)
326	05/05/2009	(739961)
327	05/05/2009	(741209)
328	05/05/2009	(741423)
329	05/05/2009	(742643)
330	05/05/2009	(742760)
331	05/07/2009	(613715)
332	05/08/2009	(738259)
333	05/08/2009	(740305)
334	05/08/2009	(741081)
335	05/08/2009	(741981)
336	05/08/2009	(744730)
337	05/14/2009	(743562)
338	05/18/2009	(742895)
339	05/18/2009	(742900)
340	05/18/2009	(742907)
341	05/20/2009	(768261)
342	06/01/2009	(741112)
343	06/01/2009	(746349)
344	06/08/2009	(747736)
345	06/18/2009	(742653)
346	06/18/2009	(749421)
347	06/18/2009	(749466)
348	06/18/2009	(749491)
349	06/26/2009	(743877)
350	07/01/2009	(748939)
351	07/03/2009	(739150)

352	07/17/2009	(761711)
353	07/20/2009	(762272)
354	07/20/2009	(762648)
355	07/24/2009	(759714)
356	07/24/2009	(761766)
357	07/27/2009	(763751)
358	08/06/2009	(748478)
359	08/07/2009	(762640)
360	08/17/2009	(762557)
361	08/20/2009	(804321)
362	09/16/2009	(743533)
363	09/17/2009	(742407)
364	09/18/2009	(804322)
365	09/23/2009	(764894)
366	09/28/2009	(777119)
367	10/02/2009	(778079)
368	10/05/2009	(776496)
369	10/13/2009	(804320)
370	10/14/2009	(766930)
371	10/14/2009	(777800)
372	10/15/2009	(767921)
373	10/20/2009	(804323)
374	10/23/2009	(774941)
375	10/26/2009	(779071)
376	11/05/2009	(779383)
377	11/16/2009	(775114)
378	11/18/2009	(780696)
379	11/18/2009	(780912)
380	11/19/2009	(804324)
381	12/02/2009	(759633)
382	12/04/2009	(763685)
383	12/04/2009	(765324)
384	12/11/2009	(784532)
385	12/16/2009	(784455)
386	12/18/2009	(804325)
387	12/22/2009	(765581)
388	01/08/2010	(781500)
389	01/13/2010	(776415)
390	01/19/2010	(786935)
391	01/20/2010	(804326)
392	01/22/2010	(764897)
393	02/03/2010	(783399)
394	02/03/2010	(784615)
395	02/05/2010	(788221)
396	02/09/2010	(788206)
397	02/19/2010	(804319)
398	02/23/2010	(709403)
399	02/23/2010	(709636)
400	02/23/2010	(709703)
401	02/25/2010	(790571)
402	03/01/2010	(789943)
403	03/15/2010	(792053)
404	03/17/2010	(830754)
405	03/19/2010	(794214)
406	03/23/2010	(795387)
407	03/23/2010	(795414)
408	03/25/2010	(786768)
409	03/25/2010	(794999)
410	04/07/2010	(791599)
411	04/07/2010	(791609)
412	04/07/2010	(791617)
413	04/07/2010	(791635)
414	04/07/2010	(791638)
415	04/07/2010	(791643)
416	04/12/2010	(795849)
417	04/13/2010	(795731)
418	04/15/2010	(794549)
419	04/15/2010	(795715)
420	04/16/2010	(796533)
421	04/16/2010	(797555)
422	04/16/2010	(798742)
423	04/20/2010	(830755)
424	04/22/2010	(795783)

425	04/22/2010	(795813)
426	04/23/2010	(785320)
427	04/27/2010	(799437)
428	04/27/2010	(799540)
429	04/29/2010	(799484)
430	04/30/2010	(800923)
431	05/11/2010	(795150)
432	05/12/2010	(802071)
433	05/18/2010	(802190)
434	05/19/2010	(799544)
435	05/19/2010	(802452)
436	05/20/2010	(830756)
437	06/02/2010	(802241)
438	06/06/2010	(802689)
439	06/11/2010	(825312)
440	06/17/2010	(846226)
441	06/22/2010	(801865)
442	06/30/2010	(800143)
443	06/30/2010	(800145)
444	06/30/2010	(800146)
445	06/30/2010	(824965)
446	06/30/2010	(828027)
447	07/02/2010	(801675)
448	07/02/2010	(824711)
449	07/06/2010	(802659)
450	07/09/2010	(824714)
451	07/09/2010	(825992)
452	07/09/2010	(829457)
453	07/16/2010	(841421)
454	07/23/2010	(708695)
455	07/23/2010	(708933)
456	08/06/2010	(790164)
457	08/17/2010	(841043)
458	08/18/2010	(849412)
459	08/20/2010	(830265)
460	08/30/2010	(844232)
461	08/30/2010	(844247)
462	08/30/2010	(844251)
463	09/01/2010	(827055)
464	09/01/2010	(827166)
465	09/01/2010	(827181)
466	09/01/2010	(844449)
467	09/01/2010	(848819)

E. Written notices of violations (NOV). (CCEDS Inv. Track No.)

Date: 09/14/2005 (406870)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 7 PERMIT
Description: Failure to maintain steady catalyst circulation rates while the unit was operating at reduced throughput.

Date: 09/14/2005 (403367)
Self Report? NO Classification: Moderate
Citation: 2610, Special Condition No. 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to prevent an avoidable emissions event.

Date: 09/15/2005 (418585)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 6488, Special Condition No. 2 PERMIT
Description: BP failed to prevent a leak from the short loop in the regeneration system.

Date: 09/16/2005 (406970)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to maintain proper catalyst aeration and catalyst circulation.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
Description: BP failed to submit a written Initial Notification for Incident # 55146 to the TCEQ within 24 hours of discovery of the incident.

Date: 12/05/2005 (434122) CN600866800
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 47256, Special Condition No. 1, PERMIT
 Description: BP failed to prevent an avoidable emissions event.
 Date: 12/05/2005 (432348)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 2612, Special Condition No. 1 PERMIT
 Description: BP failed to prevent an AU2 Flare shutdown and benzene release to the atmosphere.

Date: 12/15/2005 (437544) CN600866800
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 Description: BP Products North America Texas City failed to prevent the electrostatic precipitator trip which resulted in an opacity greater than 20%.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 47256, Special Condition No. 1 PERMIT
 Description: BP Products North America Texas City failed to prevent the electrostatic precipitator trip.

Date: 12/15/2005 (436991) CN600866800
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 47256, Special Condition No. 1 PERMIT
 Description: BP failed to prevent an avoidable emissions event.
 Date: 06/16/2006 (510161) CN600866800
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.121
 Self-reporting Requirements PERMIT
 Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.
 Date: 06/28/2006 (464246)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 No. 47256, Special Condition No. 1 PERMIT
 Description: BP failed to prevent a malfunction of pressure relief valve (RV811M).
 Date: 07/07/2006 (467173)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: BP failed to submit a CAP in a timely manner.
 Date: 07/07/2006 (464259)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 47256 Special Condition 48 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: BP failed to conduct an extended dry out procedure in the B-302 furnace before starting up the unit.
 Date: 08/29/2006 (463821)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 No. 47256, Special Condition No. 1 PERMIT
 Description: BP failed to prevent a release from pressure relief valve (RV826).
 Date: 09/21/2005 (530965)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 03/28/2007 (540156)
 Self Report? NO Classification: Moderate
 Citation: 2612, Special Condition No. 1 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: BP failed to meet the affirmative defense for the emissions event.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
 Description: BP failed to provide requested information by the deadline.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
 Description: BP failed to identify the authorization number of the standard permit governing the facilities involved in the emissions event.

Date:	03/30/2007	(542920)	CN600866800
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(f)		
Description:	BP Products North America Texas City failed to provide an analysis of the probable causes of emissions event No. 82575 in a timely manner.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b) No. 47256, Special Condition No. 1 PERMIT		
Description:	BP Products North America Texas City failed to prevent a pipeline leak at Tank Storage No. 105.		
Date:	04/20/2007	(556064)	CN600866800
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(f)		
Description:	BP Products North America Texas City failed to provide an analysis of the probable causes of Incident No. 85818 by March 12, 2007.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 47256 SC 1 PERMIT 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	BP Products North America Texas City failed to prevent a heat exchanger leak.		
Date:	04/30/2007	(574933)	CN600866800
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2007	(574934)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2007	(556477)	CN600866800
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b) No. 47256, Special Condition No. 38 PERMIT		
Description:	BP Products North America Texas City failed to prevent a circuit breaker trip causing a temporary shutdown in the Fluid Catalyst Cracking Unit No. 3, electrostatic precipitator (ESP).		
Date:	06/06/2007	(556814)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.4		
Description:	Release of catalyst adversely affecting human health and property		
Date:	08/29/2007	(543546)	CN600866800
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to include a deviation on the deviation report within its certification period.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.213(c)(1)(G) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.147(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-02328 Special Condition 16 OP FOP O-02328 Special Condition 1A OP NSR 47256 Special Condition 63 PERMIT NSR 47256 Special Condition 63C PERMIT		
Description:	Failure to install NOx CEMS on thermal oxidizers.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to include the applicable requirements for CEMS on thermal oxidizer in Title V O-02328.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart VV 60.482-6 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-02328 Special Condition 16 OP FOP O-02328 Special Condition 1A OP NSR 47256 Special Condition 17E PERMIT		
Description:	Failure to close open-ended lines containing VOCs. (Category C10)		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		

Description: Failure to include NESHAP subpart FF requirements for dock sumps in Title V Permit O-02328.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include NSPS subpart J requirements in Title V Permit O-02328.

Date: 08/31/2007 (601493) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2007 (519401) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 10/23/2007 (596361)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 2231, Special Condition No. 1 PERMIT

Description: BP failed to prevent a corrosion leak in line 166 of Tank 30 which resulted in the release of 18 pounds (lbs.) of an authorized air contaminants to the atmosphere.

Date: 10/24/2007 (597474)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 47256, Special Condition #1 PERMIT

Description: BP failed to prevent non condensable vapors from collecting in the overhead space of the F-530 reflux drum causing a release in Aromatics Unit No.2, at Flare No.2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: BP failed to submit the initial notification within 24 hours after the discovery of the emissions event.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

Description: BP failed to include the authorization number or permit in the final notification submitted to the TCEQ.

Date: 10/31/2007 (619402) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2007 (619404) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2008 (671906) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 02/15/2008 (617082)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Air Flexible Permit #47256, SC#1 PA

Description: failed to prevent a leak on a tubing connection to the process piping.

Date: 02/29/2008 (671907)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/13/2008 (616996)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
TCEQ Air Permit No. 2231, SC #1 PERMIT

Description: BP failed to prevent a transfer line leak due to overpressuring.

Date: 03/31/2008 (671908) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 05/19/2008 (654255)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
 Description: BP Products failed to submit a CAP in a timely manner.
 Date: 05/30/2008 (612170)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715
 5C THSC Chapter 382.382.085(b)
 No. 47256, Special Condition No. 1 PERMIT
 Description: BP failed to prevent a trip of the J-425 compressor.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: BP failed to submit the initial notification within 24 hours of discovery.
 Date: 06/02/2008 (641430)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
 Description: Violation of 30 TAC 101.4, which states that no person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property,
 or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.
 Date: 06/25/2008 (654767)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
 Description: This constitutes a violation of 30 TAC 101.4, which states that no person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.
 Date: 06/27/2008 (671461) CN600866800
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 No. 47256, Special Condition No. 38 PERMIT
 Description: BP Products North America Texas City failed to prevent a malfunction of an air blower vent valve in the FCCU No. 1, electrostatic precipitator, resulting in an opacity of 86.30 percent (%) for a duration of 12 minutes.
 Date: 07/02/2008 (683124)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 No. 47256, Special Condition No. 38 PERMIT
 Description: BP failed to prevent a malfunction of the electrostatic precipitator in the FCCU No. 1, resulting in an opacity of 68 percent (%) for a duration of 2 hours.
 Date: 07/17/2008 (684942) CN600866800
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 No. 47256, Special Condition No. 38 PERMIT
 Description: BP failed to prevent a power glitch in the electrostatic precipitator of FCCU No. 1.
 Date: 07/17/2008 (686166) CN600866800
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to maintain compliance with the Outfall 001 permit limits for fecal coliform.
 Self Report? NO Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 2D TWC Chapter 26, SubChapter A 26.121(a)(3)
 2D TWC Chapter 26, SubChapter A 26.121(b)
 2D TWC Chapter 26, SubChapter A 26.121(c)
 2D TWC Chapter 26, SubChapter A 26.121(d)
 2D TWC Chapter 26, SubChapter A 26.121(e)
 30 TAC Chapter 305, SubChapter F 305.125(4)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 TWC Chapter 26 26.121
 TWC Chapter 26 26.121(a)(2)
 Description: Failure to prevent the unauthorized discharge of partially treated wastewater.
 Date: 08/19/2008 (688028)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382.382.085(b)
 Special Condition 2 PERMIT
 Description: BP representatives failed to prevent tube erosion and leaks in the Overhead Fin Fan (C405-4-North).
 Date: 08/26/2008 (688278)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
47256, Special Condition 1 PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to ensure proper performance of the exchanger bundle prior to its replacement and use.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit the initial notification within 24 hours of the start of the incident.

Date: 08/27/2008 (681483)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
5C THSC Chapter 382 382.085(b)
FOP, Special Condition 1A OP

Description: Failure to conduct weekly audio, visual and olfactory (AVO) inspections.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Condition 14A OP
FOP Special Condition 1A OP

Description: Failure to use a run-time meter to record the stationary diesel engines' operating time.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Condition 1A OP
NSR Special Condition 17E PERMIT

Description: Failure to equip open-ended lines (OELs) with a cap, plug, flange or second valve.

Date: 09/02/2008 (610610) CN600866800

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP O-01541, General Terms & Conditions OP

Description: Failure to include seven SSM events in the deviation reports.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01541, Special Term & Condition 23 OP
FOP O-01541, Special Term & Condition 1A OP
Permit 19599, Special Condition 8E PERMIT
Permit 2231, Special Condition 6E PERMIT
Permit 47256, Special Condition 17E PERMIT
Permit 6488, Special Condition 1E PERMIT
Permit 9606, Special Condition 10E PERMIT

Description: Failure to cap 81 open-ended valves/lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
FOP O-01541, Special Term & Condition 23 OP
FOP O-01541, Special Term & Condition 1A OP
Permit 47256, Special Condition 14 PERMIT

Description: Failure to operate Torch #1 (ID TCH-1) and the Alky 3 flare (EPN 530) without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(2)(C)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01541 Special Term & Condition 23 OP
FOP O-01541, Special Term & Condition 1A OP
Permit 47256, Special Condition 64A PERMIT

Description: Failure to continuously monitor for opacity on FCCU3 (ID FCU3) on May 3 and May 4, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(G)

Description:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(2)(i) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT Failure to maintain sealed covers on sewer junction boxes.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256 Special Condition 3D PERMIT		
Description:	Failure to perform monthly bypass-valve inspections for 15 carbon canisters.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(C) 5C THSC Chapter 382 382.085(b) FOP O-01541 Special Term & Condition 23 OP FOP O-01541, Special Term & Condition 1A OP Permit 22107, Special Condition 5 PERMIT		
Description:	Failure to operate the thermal oxidizer (EPN 293) with a temperature of 1400 degrees.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to perform quarterly visual inspections for the integrity of seals and gaskets on refinery oil/water separators.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.142(1)(G) 30 TAC Chapter 116, SubChapter G 116.715(a) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to operate the W01 & PS3B oil/water separators with closed hatches and vapor tight seals.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to perform routine carbon canister monitoring for three carbon canisters during the month of September 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iv) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to perform two quarterly visual inspections on exposed sewer lines that manage benzene-contaminated waste.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iii) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to perform 11 quarterly AVO inspections of manways/hatches on FCCU1, DDU, Alkylation 3, FCCU3, & UU3.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		

	FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 3D PERMIT		
Description:	Failure to perform five quarterly visual inspections of tanks in benzene contaminated wastewater service.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 14B PERMIT		
Description:	Failure to perform pilot flame continuous monitoring for Torch RHU and Torch #5 due to weather related issues.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to perform 22 daily visual flare observations for the 108-FA flare, Torch 5, and CFHU flare.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.722(d) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Cond. 1H(i) OP FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 14B PERMIT		
Description:	Failure to maintain the pilot flame on thermal oxidizer (EPN 293), Torch 1 (TCH-1), and Torch 5 (TCH-5).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.722(d) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Cond. 1H(i) OP FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 14A PERMIT		
Description:	Failure to maintain the net heating value of 300 Btu/scf on Torch 3 & 6, CFHU flare, 108-FA flare, & ULC flare.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart A 60.18(c)(4)(i) 40 CFR Part 63, Subpart A 63.11(b)(7)(i) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 14A PERMIT		
Description:	Failure to operate the CFHU flare within the maximum exit velocity of 60 feet/second.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 31A PERMIT		
Description:	Failure to perform AVO inspections of equipment, on the SRU, CFHU, and RHU once per shift.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to perform the annual visual inspection of the ARU closed vent system.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.781(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to perform weekly AVO inspections of pumps seals across the refinery.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(3)		

	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to perform 16 weekly AVO inspections of flanges on process units across the refinery.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 17F PERMIT		
Description:	Failure to perform Method 21 monitoring to 34 LDAR Components (ID REF-FUG) across the refinery.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Condition 23 OP FOP O-01541, Special Term & Condition 1A OP Permit 47256, Special Condition 18I PERMIT		
Description:	Failure to make a first attempt of repair to six leaking components and one pump (ID REF-FUG) within 5/15 days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 5D PERMIT		
Description:	Failure to repair gaps in seals on floating roof storage tanks 184, 1052, 1054, & 1046 within 45 calendar days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 63, Subpart G 63.119(c)(2)(vii) 40 CFR Part 63, Subpart G 63.119(c)(2)(xi) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to operate storage tanks in VOC service with the gauge/sampling hatches in the closed position.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(2)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Failure to operate floating roof storage tanks with automatic bleeder vents or rim vents in the closed position.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(d)(2)(H) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(3) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1A OP		
Description:	Tank 187 Unauthorized tank landing on July 16, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 23 OP Permit 9806, Special Condition 4 PERMIT		
Description:	Failure to continuously monitoring of the alkalinity of the caustic scrubber on Alky 3.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1H OP		
Description:	Failure to operate numerous heater/furnaces within O2 ranges pursuant to 30 TAC Subchapter H, Division 1.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.722(d)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01541, Special Term & Condition 1H OP		

Description:	Failure to operate three flares, Torches 2, 3, & 6 at or above the minimum net heating value of 300 Btu/scf.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382.382.085(b) O-01541 Special Term & Condition 1H OP	
Description:	Failure to perform manual sampling when the HRVOC analyzers for Torches 2, 4, 6, and 108-FA were not operating.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382.382.085(b)	
Description:	FOP O-01541, Special Term & Condition 1H OP Failure to operate eight furnaces at a sufficient firing rate to consume oxygen for the control of HRVOC's from furnaces.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 23 OP Permit 6488, Special Condition 2 PERMIT	
Description:	Failure to operate the B-401A, B-405, and RDU B-401B furnace within the permitted emissions limits for CO on June 14, 2007.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 23 OP Permit 19599, Special Condition 1 PERMIT	
Description:	Exceedances permitted CO limits on Pipestill furnaces 101-BA & BB, 103-BB, and 102-BA & BB furnaces.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 23 OP Permit 47256, Special Condition 35 PERMIT	
Description:	Failure to operate the FCCU3 Regeneration System within the permitted emissions limits for CO.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103(c)(2) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 1A OP	
Description:	Failure to maintain required records relating to two SSM events that occurred to the AU2 process unit.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 1A OP Permit 47256, Special Condition 47 PERMIT	
Description:	Failure to limit the amount of H2S in the refinery fuel gas system.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(2)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 63, Subpart G 63.119(c)(2)(iv) 5C THSC Chapter 382.382.085(b) FOP O-01541, Special Term & Condition 1A OP	
Description:	Operating Tank 93 with an open rim vent during normal operation.	
Date:	09/30/2008	(710590) CN600866800
Self Report?	YES	Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	11/03/2008	(701072)
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 47256, Special Condition 1, PERMIT 5C THSC Chapter 382.382.085(b)	
Description:	Failure to prevent unauthorized emissions.	
Date:	11/03/2008	(688276)
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) 5C THSC Chapter 382.382.085(b)	
Description:	Failure to submit the initial notification within 24 hours of the start of the incident.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)	

47256, Special Condition 1 PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to follow proper operational practices while placing D Sulfur Train in service.

Date: 11/07/2008 (700798)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)
5C THSC Chapter 382 382.085(b)
Special Condition No. 38 PERMIT
Description: Failure to prevent the tripping of the Electrostatic Precipitator (ESP) that resulted in excess opacity.

Date: 11/21/2008 (706756) CN600866800
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
S.C 1 PERMIT
Description: Failure to meet the affirmative defense for Incident #111204 regarding the Sulfur Recovery Unit.

Date: 12/05/2008 (684893)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to implement the CAP in accordance with the approved schedule, specifically, the RE failed to install a flow meter by October 2007.

Date: 12/12/2008 (707738)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 38 PERMIT
Description: Failure to prevent excessive opacity.

Date: 12/15/2008 (689327)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)
30 TAC Chapter 117, SubChapter H 117.9020(2)(C)(i)
Description: Failed to conduct stack test by the required deadline. Failed to submit report in the required timeframe.

Date: 12/18/2008 (709251)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THSC Chapter 382 382.085(b)
Description: BP Products failed to submit the CAP in a timely manner.

Date: 12/31/2008 (710591)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/30/2009 (723946) CN600866800
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition No. 38 PERMIT
Description: BP failed to maintain the charge rate to the north riser and the lower slide valve of the Electrostatic Precipitator (ESP), resulting in an opacity of 57%.

Date: 02/26/2009 (664626) CN600866800
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
No. 47256, Special Condition No. 1 PERMIT
Description: BP failed to maintain the level transmitters, level controllers and motor operated valves, resulting a release of 5 pounds (lbs.) of butane, 235 lbs. of carbon monoxide, 9 lbs. of hexane, 9 lbs. of hydrogen sulfide, 2 lbs. of isobutane, 46 lbs. of nitrogen oxide, 5 lbs. of propane, and 793 lbs. of sulfur dioxide.

Date: 03/12/2009 (726767)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
No. 47256, Special Condition No. 1 PERMIT
Description: BP failed to prevent a surge of process gas from the T-2 tower on the utilities Power 2 Unit, triggering an upset of the SRU.

Date: 03/12/2009 (725243)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
No. 47256, Special Condition No. 1 PERMIT
Description: BP failed to prevent the malfunction of a relief valve on tank 135, resulting in release of 1,701 lbs. of unauthorized volatile organic compounds.

Date: 03/20/2009 (726945)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

5C THSC Chapter 382.382.085(b)
 Description: BP Products failed to submit an Initial CAP in a timely manner.
 Date: 04/02/2009 (738251)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a small flare flow increase from the FCCU3 process line to Flare 3 due to a bad spring on a relief valve.
 Date: 04/17/2009 (741327)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a spill valve from opening prematurely.
 Date: 05/14/2009 (743562)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: Failure to prevent unauthorized emissions; specifically, BP failed to prevent a tube leak in the 512C1A cooling exchanger.
 Date: 05/31/2009 (804320) CN600866800
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/30/2009 (750123) CN600866800
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/07/2009 (762640) CN600866800
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a high liquid level in the KO pot.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: BP failed to submit the initial notification within the 24 hours after discovery of the event.
 Date: 08/17/2009 (762557)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a spike in the reactor pressure.
 Date: 09/04/2009 (774971)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
 5C THSC Chapter 382.382.085(b)
 Description: Failure to demonstrate a 90% DRE for the tank degassing activities associated with Tank 30 and Tank 1044.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter F 115.542(a)(6)
 30 TAC Chapter 115, SubChapter F 115.546(1)(D)
 5C THSC Chapter 382.382.085(b)
 Description: Failure to monitor the VOC concentration in tanks 30 and 1044 every 12 hours until 5 consecutive readings are less than 34,000 ppmvd or 50% LEL after tank degassing operations cease.
 Date: 10/23/2009 (774941)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a shut down in the south riser system.
 Date: 11/05/2009 (779383)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)
 TCEQ Flexible Permit No. 47256, SC #1 PERMIT
 Description: BP failed to prevent a compressor failure which resulted in the releasing of unauthorized emissions to the atmosphere.
 Date: 11/18/2009 (780596)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382.382.085(b)

TCEQ Flexible Permit No. 47256, SC #1 PERMIT

Description: BP failed to prevent two gas turbines/duct burners from tripping due to a plugged filter.

Date: 11/30/2009 (804325) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 02/05/2010 (788221)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 47256, SC #1 PERMIT
TCEQ Flexible Permit No. 47256, SC #38 PERMIT

Description: BP failed to prevent a build-up of dirt and debris inside the electrical box, resulting in the shut down of the FCCU 1 J-4 Lift Blower.

Date: 02/26/2010 (790571)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 47256, SC #1 PERMIT
TCEQ Flexible Permit No. 47256, SC #38 PERMIT

Description: BP failed to prevent an upset in the FCCU 1 due to a loss of differential pressure on the standpipe aeration.

Date: 02/28/2010 (830754) CN600866800

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 04/09/2010 (792366)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with 30 TAC 101.4. BP Products North America created a "nuisance" condition by a release of catalyst fines.

Date: 04/16/2010 (797555)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 47256, SC #1 PERMIT
TCEQ Flexible Permit No. 47256, SC #38 PERMIT

Description: BP failed to prevent corrosion of a rack arm assembly caused by extended exposure to water.

Date: 06/08/2010 (802689) CN600866800

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(a)
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions which resulted from the FCCU 1 from a tripping.

F. Environmental audits.

Notice of Intent Date: 08/11/2005 (434113)

Disclosure Date: 11/21/2005

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.546

Description: Failure to have records readily available at the facility as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter F 115.543

30 TAC Chapter 115, SubChapter F 115.546(2)

Description: Failure to determine whether combustion engines used by a contractor of BP would be considered approved "vapor control systems" under rule or are subject to an alternative control method.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)

Description: Failure, per permit by rule, to submit notice to the Executive Director within 10 days following the installation of a replacement facility.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.110(a)

Description: Failure to retain records relating to the installation of floating roof for tank numbers 67, 72, 1024 and 1041.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter A 106.4

30 TAC Chapter 116, SubChapter B 116.110

30 TAC Chapter 116, SubChapter B 116.119(a)(1)

Description: Failure to submit to TCEQ for authorization to operate a temporary for degassing operations.

Notice of Intent Date: 02/23/2006 (458564)

No DOV Associated

Notice of Intent Date: 07/06/2006 (679898)

No DOV Associated

Notice of Intent Date: 10/05/2006 (531586)

Disclosure Date: 10/09/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340

Rqmt Prov: PERMIT NSR Permit 19559

Description: Failure to monitor PS3A crude lines that may be considered to be in light liquid service were not monitored in accordance with 40 CFR Part 60, Subparts A and VV.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)

30 TAC Chapter 122, SubChapter B 122.146

Description: Failure to include violations associated with disclosures presented in items 1 and 3 of the October 09, 2007 disclosure letter in the Title V deviation report or the compliance certification for the applicable time period.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT O-01541

Description: Failure to submit the report required by 30 TAC 115.786(c) for non-repairable HRVOC components for the semi-annual periods that relate to the July 31, 2005, January 31, 2006 and July 31, 2006 report dates.

Notice of Intent Date: 01/08/2007 (543500)

Disclosure Date: 02/15/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to report accurate sampling results in several Discharge Monitoring Reports.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT TPDES 00443

Description: Failure to use all dissolved oxygen measurements to determine and report the daily average and maximum values in DMRS.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT TPDES 00443

Description: Failure to perform zinc analyses at the Method Analytical Limit (MAL) as low as required by permit.

Disclosure Date: 01/09/2008

Viol. Classification: Moderate

Citation: 40 CFR Chapter 136, SubChapter D, PT 136.136.3(e)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT TPDES 00443

Description: Failure to initiate refinery outfall 001 biomonitoring analysis within 36-hours of the collection time of the final composite sample.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.6

30 TAC Chapter 319, SubChapter A 319.9(c)

Rqmt Prov: IHWPMTCP TPDES 0443

Description: Failure to collect and analyze duplicate dissolved oxygen samples each day a sample was collected.

Viol. Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.6

30 TAC Chapter 319, SubChapter A 319.9(c)

Rqmt Prov: PERMIT TPDES 00443

Description: Failure to maintain records of the date/time of sampling and analysis and the name of the person performing the analysis for pH samples at Refinery Outfall 001.

Viol. Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT TPDES 00443

Description: Failure to maintain documentation to demonstrate that the receiving water was unacceptable for biomonitoring testing and that synthetic dilution water was an acceptable alternative.

Notice of Intent Date: 01/08/2007 (543522)

No DOV Associated

Notice of Intent Date: 01/15/2007 (543479)

No DOV Associated
Notice of Intent Date: 01/15/2007 (543483)
No DOV Associated
Notice of Intent Date: 02/27/2007 (554846)
No DOV Associated
Notice of Intent Date: 05/14/2007 (563478)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563481)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563537)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563568)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563575)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563584)

No DOV Associated
Notice of Intent Date: 05/23/2007 (563639)
No DOV Associated
Notice of Intent Date: 05/23/2007 (563643)
No DOV Associated
Notice of Intent Date: 05/25/2007 (563649)
No DOV Associated
Notice of Intent Date: 06/08/2007 (565946)
No DOV Associated
Notice of Intent Date: 06/04/2007 (571646)
No DOV Associated
Notice of Intent Date: 09/08/2007 (593445)
No DOV Associated
Notice of Intent Date: 09/10/2007 (596466)
Disclosure Date: 09/11/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 205, SubChapter A 205.2

Description: Failure to sign and/or implement a Storm Water Pollution and Prevention Plan at the Mowtown/Merville area until 10/01/2007, five months after the actual time required by the TPDES permit.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 205, SubChapter A 205.2(a)(5)(A)

Description: Failure to maintain records of inspections of controls in disturbed areas and associated maintenance controls during construction of the Employee Services Building (ESB).

Notice of Intent Date: 09/11/2007 (596501)
No DOV Associated
Notice of Intent Date: 09/25/2007 (618188)
No DOV Associated
Notice of Intent Date: 10/05/2007 (618157)
Disclosure Date: 04/29/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.305(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.305(a)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.567(f)
40 CFR Part 63, Subpart CC 63.654(i)(2)
Rqmt Prov: PERMIT Federal Operating Permit O-2328
PERMIT Flexible Permit 47256

Description: Failure to maintain records. Specifically, BP is unable to locate quarterly and annual reports for the Part 61 Subpart BB and Part 63 Subpart Y marine loading regulatory programs for the period 2004-2007. In addition, BP is unable to locate recent stack performance test reports for the Refinery Marine Dock thermal oxidizers.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)

30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Federal Operating Permit O-1541

Description: Failure to perform sampling when the VOC continuous monitoring system at the FCCU 3 cooling tower was out of order for periods of 24 hours or more on the following dates: March 12, June 14, June 19 and June 20, 2007.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.305(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.562(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.567(f)
Rqmt Prov: PERMIT Federal Operating Permit O-02328

Description: Failure to submit an engineering report which describes the vent system used to vent each affected vent stream to a control device. In addition, the Operations and Maintenance Plan for the refinery docks did not include "procedures (preventive maintenance) to be followed to ensure that pollution control equipment functions properly and valances of the control equipment and monitoring equipment are minimal".

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.564(e)
Rqmt Prov: PERMIT Federal Operating Permit O-02328

Description: Failure to verify the accuracy of the temperature monitor of the marine loading thermal oxidizers on an annual basis with a reference temperature monitor or an independent temperature measurement device dedicated for this purpose. Instead, the output of the temperature indicator was checked annually with a reference voltmeter.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.222

Description: The temporary gasoline tank at the refinery garage did not comply with certain vapor balance system control requirements as specified in 30 TAC 115.222.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.226(1)
30 TAC Chapter 115, SubChapter C 115.244(3)
30 TAC Chapter 115, SubChapter C 115.246(3)
30 TAC Chapter 115, SubChapter C 115.246(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Federal Operating Permit O-01541

Description: Failure to maintain records for the daily, monthly and annual inspections of the temporary gasoline tank. Records of fuel delivery to the tank did not include the truck vapor tightness certification number and date. Maintenance records of the Stage II vapor control equipment were not located onsite, but were kept by the equipment vendor.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Federal Operating Permit O-01541
PERMIT Flexible Permit 47256
PERMIT NSR Permit 20850

Description: Failure to follow appropriate sampling method. The PRS3 (EPN 416) cooling tower HRVOC vertical sampling point was on the bottom of the horizontal return line, as opposed to the top of the horizontal section as suggested by Section 5 of the Appendix P sampling method. The Alky3 debutanizer cooling tower sample point was on the bottom of the horizontal return line, as opposed to on the top of the horizontal section, as suggested by Section 5 of the Appendix P sampling method.

Notice of Intent Date: 10/05/2007 (618172)
No DOV Associated

Notice of Intent Date: 10/05/2007 (775276)
No DOV Associated

Notice of Intent Date: 02/11/2008 (639339)
No DOV Associated

Notice of Intent Date: 02/11/2008 (639343)
No DOV Associated

Notice of Intent Date: 02/11/2008 (639356)
No DOV Associated

Notice of Intent Date: 02/13/2008 (639357)
No DOV Associated

Notice of Intent Date: 03/12/2008 (646267)
No DOV Associated

Notice of Intent Date: 03/20/2008 (654986)
No DOV Associated

Notice of Intent Date: 03/02/2010 (798036)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
BP PRODUCTS NORTH
AMERICA INC.
RN102535077**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2010-1527-IWD-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding BP Products North America Inc. ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery with an associated wastewater treatment facility located at 2401 Fifth Avenue South between 21st and 25th in Texas City, Galveston County, Texas (the "Facility").

2. The Respondent has discharged industrial waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During an investigation conducted on March 17, 2010, and March 24, 2010, TCEQ staff documented that on February 16, 2010, during dewatering of a storage tank, approximately 5,466 pounds of toluene mixed with wastewater was released to the wastewater treatment plant; and from February 16, 2010, through February 18, 2010, approximately 24.31 million gallons of partially treated wastewater mixed with toluene was discharged through Outfall 005, killing approximately 33 fish. This discharge also resulted in exceedances of the total recoverable phenolics daily average loading and daily maximum loading limits of 24 pounds per day ("lbs/day") and 56 lbs/day, respectively, for the monitoring period ending February 28, 2010 (37.869 lbs/day and 409.024 lbs/day, respectively).
4. During an investigation conducted on March 17, 2010, and March 24, 2010, TCEQ staff documented that on January 27, 2010, a leak in the biosludge pipeline discharged approximately 750 gallons of nonhazardous biosludge into Borrow Ditch.
5. During a record review on October 11, 2010, TCEQ staff documented the following from the self-reported monthly discharge monitoring reports:
 - a. The fecal coliform daily maximum exceeded the permit limit of 400 colony forming units per 100 milliliters ("cfu/100mL") for the monitoring period ending November 30, 2009 (1,800 cfu/100mL);
 - b. The fecal coliform daily maximum exceeded the permit limit of 400 cfu/100mL for the monitoring period ending May 31, 2009 (5,700 cfu/100mL); and
 - c. The oil and grease daily maximum exceeded the permit limit of 2,520 pounds per day ("lbs/day") for the monitoring period ending June 30, 2009, (5,370 lbs/day) and the total recoverable phenolics daily average and daily maximum exceeded the permit limits of 24 lbs/day and 56 lbs/day, respectively, for the monitoring period ending June 30, 2009 (28.3 lbs/day and 80.6 lbs/day, respectively).
6. The Respondent received notice of the violations on June 24, 2010.
7. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. By January 27, 2010, ceased the unauthorized discharge of nonhazardous biosludge into Borrow Ditch;
 - b. By February 18, 2010, ceased the unauthorized discharge of wastewater mixed with toluene;

- c. By February 20, 2010, removed and disposed of the dead fish, collected and analyzed samples from the area affected by the February 16, 2010, discharge, and confirmed that pollutant levels in the hurricane canal had been reduced to levels protective of the environment;
- d. By March 18, 2010, completed the removal of the nonhazardous biosludge from Borrow Ditch;
- e. By March 31, 2010, investigated the cause of noncompliance and returned to compliance with all permitted effluent limits; and
- f. By October 12, 2010, updated operational procedures to prevent future unauthorized discharges.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent the unauthorized discharge of a nonpermitted wastewater source through Outfall 005 and failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent the unauthorized discharge of industrial waste into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1) and TPDES Permit No. 0000443000, Permit Conditions No. 2.g.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to comply with permitted effluent limits for Outfall Nos. 001, 005 and 006, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0000443000, Effluent Limitations and Monitoring Requirements No. 1.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of Two Hundred Forty-Two Thousand Nine Hundred Dollars (\$242,900) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent

has paid the Two Hundred Forty-Two Thousand Nine Hundred Dollar (\$242,900) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Two Hundred Forty-Two Thousand Nine Hundred Dollars (\$242,900) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: BP Products North America Inc., Docket No. 2010-1527-IWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
4. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be

copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

2/23/2011
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of BP Products North America Inc. I am authorized to agree to the attached Agreed Order on behalf of BP Products North America Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, BP Products North America Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.


I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:


- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

12/16/10
Date


Name (Printed or typed)
Authorized Representative of
BP Products North America Inc.


Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.